

**AUBURN CITY COUNCIL
REGULAR SESSION AGENDA**

City Hall, Council Chambers
1225 Lincoln Way, Auburn, CA 95603

August 9, 2010

Closed Session 5:30 p.m.

Regular Session 6:00 p.m.

Meeting facilities are accessible to persons with disabilities. Requests for Assistive Listening Devices or other considerations should be made through the City Clerk's Office at (530) 823-4211, Ext. #112

CALL TO ORDER

ROLL CALL

By **MOTION** adjourn to a Closed Session under Government Code Section 54957:6

(1) CONFERENCE WITH LABOR NEGOTIATORS

G.C. 54957.6

Agency Designated Representatives: Robert Richardson, David Mackowiak

Employee Group: All Bargaining Units

REPORT OUT OF CLOSED SESSION

**MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/
ANNOUNCEMENTS**

AGENDA APPROVAL

This is the time set aside for council members and/or the public to ask for removal, postponement or a change to the listed sequence of an agenda item.

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine in nature and will be approved by one blanket motion with a roll call vote.

There will be no separate discussion of these items unless persons request specific items to be removed from the Consent Calendar for discussion and separate action. Any items removed will be considered after the motion to approve the Consent Calendar.

1. **Minutes** **Pages 7-12**

By **MOTION** approve City Council Minutes of July 26, 2010 and August 2, 2010.
2. **Establishment of the Auburn Sergeants Association** **Pages 13-14**

By **RESOLUTION**, approve the Auburn Sergeants Association as a Certified Employee Organization representing the City of Auburn Police Sergeants.
3. **Public Works Professional Services Agreement – Bennett Engineering** **Pages 15-28**

By **RESOLUTION**, authorize the City Manager or his designee to execute the Professional Services Agreement with Bennett Engineering to provide consulting services.
4. **Falcons Point Sewer Pump Station – Consultant Agreement for Construction Related Services** **Pages 29-46**

By **RESOLUTION**, authorize the Director of Public Works to execute a consultant agreement with Giuliani & Kull, Inc. for construction related services for the Falcons Point Sewer Pump Station in an amount not to exceed \$14,350.
5. **2010-11 Street Overlay Project – Environmental Determination and Permission to Advertise** **Pages 47-52**

By **RESOLUTION**, find the 2010-11 Street Overlay Project categorically exempt from the California Environmental Quality Act (CEQA) per Section 15301 (c) Existing Facilities.

By **MOTION**, authorize the Director of Public Works to advertise for the 2010-11 Street Overlay Project.

***** End of Consent Calendar *****
6. **Public Comment**

This is the time provided so that persons may speak to the Council on any item not on this agenda. Please make your comments as brief as possible. The Council cannot act on items not included on this agenda; however, the items will be automatically referred to staff.

REPORTS

7. City Council Committee Reports

The purpose of these reports is to provide information to the city council and public on projects and programs that are discussed at committee meetings. **No decisions are to be made on these issues.** If a council member would like formal action on any of these discussed items, it will be placed on a future city council agenda.

COUNCIL BUSINESS

8. Mercy Auburn Senior Apartments – Lot Split, Design Review Permit, Use Permit, and Tree Permit (585 Sacramento Street) - (Files LS 10-1; DRP 10-1; UP 10-1; TP 10-1) Pages 53-96

A. By **RESOLUTION**, approved the Mercy Auburn Senior Apartment project (Files # LS 10-1; DRP 10-1; UP 10-1; TP 10-1) as presented, or as amended by Council, which includes the following actions:

1. Adoption of a Mitigated Negative Declaration, prepared for the Lot Split, Design Review Permit, Use Permit, and Tree Permit as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines;
2. Adoption of a Mitigation Monitoring and Reporting Plan (MMRP) implementing and monitoring all Mitigation Measures in accordance with the California Environmental Quality Act (CEQA) and Guidelines;
3. Adoption of Findings of Fact for approval of the Lot Split, Design Review Permit, Use Permit, and Tree Permit as presented in the staff report; and,
4. Approval of the Lot Split, Design Review Permit, Use Permit, and Tree Permit as presented in the Staff Report and in accordance with the Conditions of Approval.

9. Amendment of Outdoor Seating/Encroachment Permit Guidelines to Expand Outdoor Seating Beyond Streetscape Phase I and Other Public Areas Within The Old Town and Downtown Historic Districts Pages 97-116

By **RESOLUTION**, (Exhibit A) amend the Outdoor Seating/ Encroachment Permit Design Guidelines as presented, or as modified by the City Council, which includes the following actions:

1. Adoption of a Statutory Exemption, prepared for the Outdoor Seating/ Encroachment Permit Guidelines as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines; and,
2. Amendment of the Outdoor Seating/Encroachment Permit Guidelines to expand outdoor seating beyond Streetscape Phase I and other public areas within the Old Town and Downtown Historic Districts.

10. **Consideration of an Encroachment Permit for Tsuda's Eatery, LLC, to Establish Outdoor Seating in Hershel Young Park in accordance with the Outdoor Seating Guidelines** **Pages 117-138**

By **RESOLUTION**, (Exhibit A) approve the issuance of an Encroachment Permit as conditioned, or as modified by the City Council, which includes the following actions:

1. Adoption of a Statutory Exemption, prepared for the Encroachment Permit as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines; and,
2. Approval of an Encroachment Permit for Tsuda's Eatery, LLC, to Establish Outdoor Seating in Hershel Young Park in accordance with the Encroachment Permit Conditions of Approval.

11. **City Employee Wage and Benefit Transparency** **Pages 139-140**

Discussion item, provide direction to staff.

12. **Ordinance Allowing City to Bar Animals from Public Buildings** **Pages 141-146**

By **MOTION** introduce and hold a first reading for an ORDINANCE adding a new Section 35.03 to the Auburn Municipal Code to authorize the council to adopt by resolution rules governing conduct in City buildings.

By **RESOLUTION**, approve initial rules to be enforced in City buildings which (i) bar animals from City buildings other than service animals assisting the disabled or police dogs and (ii) bar unauthorized presence in City buildings.

13. **Recodification of the Municipal Code** **Pages 147-154**

By **MOTION**, waive full reading and introduce the attached **ORDINANCE** to recodify the 2005 Auburn Municipal Code, as amended through August 9, 2010 (through and including Ordinance No. 10-08).

14. **Attendance at the League of California Cities Annual Conference and Selection of a Voting Delegate** **Pages 155-168**

By **RESOLUTION**, select a member of the City Council to be its voting delegate, and up to two alternative voting delegates, at the 2010 League of California Cities Annual Conference.

15. **SHAAC Recommendations** **Pages 169-172**

By **MOTION**:

1. Approve the 10 names to be engraved in tiles at Central Square.
2. Approve the location of the 10 tiles.

ADJOURNMENT

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 1225 Lincoln Way, Room 8, Auburn, CA 95603 during normal business hours.